

## AMENDMENT

### In the Claims:

Claims 1-79 (Cancelled).

80. (Previously added): An energy transfer dye comprising:  
a xanthene donor dye capable of absorbing light at a first wavelength and emitting excitation energy in response thereto;  
a 4,7-dichlororhodamine acceptor dye capable of absorbing the excitation energy emitted by the donor dye and fluorescing at a second wavelength in response thereto; and  
a non-nucleosidic linker linking the 5- or 6-ring position of the donor dye to the 5- or 6-ring position of the acceptor dye.

81. (Previously added): The energy transfer dye of Claim 80 in which the donor dye is a fluorescein dye.

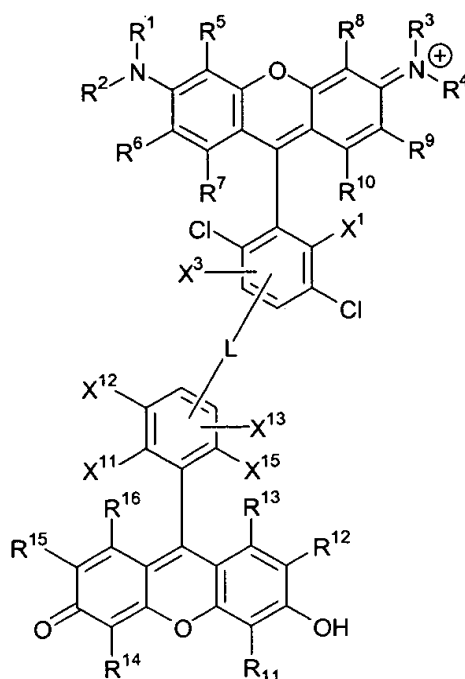
82. (Previously added): The energy transfer dye of Claim 80 in which the linker has a backbone that is less than 9 atoms in length.

83. (Previously added): The energy transfer dye of Claim 80 in which the linker comprises a functional group selected from an alkene, a diene, an alkyne, a five membered ring having at least one unsaturated bond, a six membered ring having at least one unsaturated bond and a fused ring structure.

84. (Previously added): The energy transfer dye of Claim 80 which further comprises a linking group suitable for attaching the energy transfer dye to another substance.

85. (Previously added): The energy transfer dye of Claim 84 in which the linking group is attached to the 4'-position of the 4,7-dichlororhodamine acceptor dye.

86. (Previously added): The energy transfer dye of Claim 80 which comprises the structure:



wherein:

$R^1$ ,  $R^2$ ,  $R^3$  and  $R^4$  are each, independently of one another, selected from hydrogen and alkyl, or alternatively  $R^1$  and  $R^5$ ,  $R^2$  and  $R^6$ ,  $R^3$  and  $R^8$  and/or  $R^4$  and  $R^9$  may be taken together with the atoms to which they are bonded to form a 5, 6 or 7-membered ring;

$R^5$ ,  $R^6$ ,  $R^7$ ,  $R^9$  and  $R^{10}$  are each, independently of one another, selected from hydrogen, fluorine, chlorine, bromine, iodine, carboxyl, alkyl, alkene, alkyne, sulfonate, sulfone, amino, ammonium, amido, nitrile, alkoxy, phenyl and substituted phenyl, or alternatively,  $R^6$  and  $R^7$  and/or  $R^9$  and  $R^{10}$  may be taken together with the atoms to which they are bonded to form a benzo group;

$R^8$  is selected from hydrogen, fluorine, chlorine, bromine, iodine, carboxyl, alkyl, alkene, alkyne, sulfonate, sulfone, amino, ammonium, amido, nitrile, alkoxy, phenyl, substituted phenyl and linking group;

$X^1$  and  $X^3$  are each, independently of one another, selected from hydrogen, fluorine, chlorine, bromine, iodine, carboxyl, alkyl, alkene, alkyne, sulfonate, sulfone, amino, ammonium, amido, nitrile and alkoxy;

L is the linker linking the donor and acceptor dyes;

$R^{11}$ ,  $R^{12}$ ,  $R^{13}$ ,  $R^{15}$  and  $R^{16}$  are each, independently of one another, selected from hydrogen, fluorine, chlorine, bromine, iodine, carboxyl, alkyl, alkene, alkyne, sulfonate,

sulfone, amino, ammonium, amido, nitrile, alkoxy, phenyl and substituted phenyl, or alternatively,  $R^{12}$  and  $R^{13}$  and/or  $R^{15}$  and  $R^{16}$  may be taken together with the atoms to which they are bonded to form a benzo group;

$R^{14}$  is selected from hydrogen, fluorine, chlorine, bromine, iodine, carboxyl, alkyl, alkene, alkyne, sulfonate, sulfone, amino, ammonium, amido, nitrile, alkoxy, phenyl, substituted phenyl and linking group; and

$X^{11}$ ,  $X^{12}$ ,  $X^{13}$  and  $X^{15}$  are each, independently of one another, selected from hydrogen, fluorine, chlorine, bromine, iodine, carboxyl, alkyl, alkene, alkyne, sulfonate, sulfone, amino, ammonium, amido, nitrile and alkoxy.

Claims 87-151 (Cancelled).